



# TRANSMITTAL FORM

Application Serial Number	10/784,084
Filing Date	February 20, 2004
First Named Inventor	Sanders
Group Art Unit	3742
Examiner Name	Van, Quang T.
Attorney Docket No.	HYP-046C2
Patent No.	7,049,540
Issue Date	May 23, 2006

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input checked="" type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]  <input type="checkbox"/> Petition for Extension of Time  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)  <input type="checkbox"/> Transmittal of Formal Drawings <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input checked="" type="checkbox"/> Request for Certificate of Correction <input checked="" type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard  <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, are being faxed to Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6<sup>th</sup> day of July, 2006.

*Jamie Crystal-Lowry*  
Jamie Crystal-Lowry

## CORRESPONDENCE ADDRESS

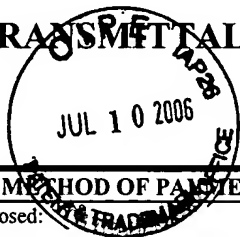
Direct all correspondence to: Patent Administrator  
Proskauer Rose LLP  
One International Place  
22<sup>nd</sup> Floor  
Boston, MA 02110-2600  
Tel. No.: (617) 526-9600  
Fax No.: (617) 526-9899

## SIGNATURE BLOCK

Date: July 6, 2006  
Reg. No.: 55,699  
Tel. No.: (617) 526-9836  
Fax No.: (617) 526-9899

Respectfully submitted,  
*Deborah M. Vernon*  
Deborah M. Vernon  
Attorney for the Applicants  
Proskauer Rose LLP  
One International Place  
Boston, MA 02110-2600

# FEE TRANSMITTAL



Complete if Known

Application Serial Number 10/784,084  
 Filing Date February 20, 2004  
 First Named Inventor Sanders  
 Group Art Unit 3742  
 Examiner Name Quang T. Van  
 Attorney Docket No. HYP-046C2

## METHOD OF PAYMENT

- ☒ Payment Enclosed:  
☐ Check ☐ Money Order ☒ Other
- ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3081
- ☒ Required Fees (copy of this sheet enclosed).
- ☒ Additional fee required under 37 CFR 1.16 and 1.17.
- ☒ Overpayment Credit.
- ☐ Applicant claims small entity status.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	Filing	Search	Examination	Fee Paid
Utility	300	500	200	
Design	200	100	130	
Plant	200	300	160	
Reissue	300	500	600	
Provisional	200	0	0	

Small Entity Discount

1. TOTAL 0

### 2. EXCESS CLAIM FEES

Fee	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent.	50 25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.	200 100
Total Claims	Extra Claims Fee Paid (\$)

- 20 or HP= X \$50 =  
 HP = highest number of total claim paid for, if great than 20

Indep. Claims Extra Claims Fee Paid (\$)  
 - 3 or HP= X \$200 =  
 HP = highest number of total claim paid for, if great than 3

Multiple Dependent Claims	Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)
	360	180	

2. TOTAL: 0

### 3. APPLICATION SIZE FEE

If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid
-100 =	/50 =	round up to a whole number x	=	

3. TOTAL: 0

## CORRESPONDENCE ADDRESS

Direct all correspondence to:  
 Patent Administrator  
 Proskauer Rose LLP  
 One International Place  
 Boston, MA 02110  
 Tel. No.: (617) 526-9600  
 Fax No.: (617) 526-9899

## FEE CALCULATION (continued)

### 4. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte re-examination	
120	60	Extension for reply within 1 <sup>st</sup> mo.	
450	225	Extension for reply within 2 <sup>nd</sup> mo.	
1,020	510	Extension for reply within 3 <sup>rd</sup> mo.	
1,590	795	Extension for reply within 4 <sup>th</sup> mo.	
2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
400	0	Petitions to the Director	
180	180	Submission of IDS	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	100
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)	37 C.F.R. § 1.312: Amendment after Allowance		
Other fee (Specify)			
4. TOTAL:			100.00

## TOTAL AMOUNT SUBMITTED

(\$) 100.00

## SIGNATURE BLOCK

Date: July 6, 2006  
 Reg. No.. 55,699  
 Tel. No.: (617) 526-9836  
 Fax No.: (617) 526-9899

Respectfully submitted,  
  
 Deborah M. Vernon  
 Attorney for the Applicants  
 Proskauer Rose LLP  
 One International Place  
 Boston, MA 02110



*JDW*

**PATENT**  
Attorney Docket No. HYP-046C2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS:	Sanders et al.	EXAMINER:	Van, Quang T.
SERIAL NO.:	10/784,084	FILING DATE:	February 20, 2004
PATENT NO.	7,049,540	ISSUE DATE:	May 23, 2006
GROUP NO.	3742	CONFIRMATION NO.	1162
TITLE:	PROCESS AND APPARATUS FOR CUTTING OR WELDING A WORKPIECE		

Mail Stop Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 35 U.S.C. § 255**

The Assignee of record in the above-referenced patent, Hypertherm, Inc., by virtue of an assignment recorded February 7, 2005 at Reel 015669, Frame 0774, hereby requests that a Certificate of Correction be issued for U.S. Patent No. 7,049,540 under 35 U.S.C § 255 (37 C.F.R. § 1.323).

Applicant has made a typographical error in claim number 13. Claim 13 currently reads:

The system 1 wherein the crucible comprises a top, a sidewall, and a bottom, wherein the top comprises an inlet and the bottom comprises an outlet.

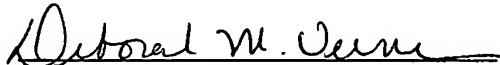
Claim 13 was suppose to include the words "of claim" between the word "system" and the number 1. Thus claim 13 should read:

The system of claim 1 wherein the crucible comprises a top, a sidewall, and a bottom, wherein the top comprises an inlet and the bottom comprises an outlet.

Claim 13 was introduced as new claim 67 in a Preliminary Amendment filed on February 20, 2004. During prosecution, Applicants mistakenly dropped the phrase "of claim" from claim 67. (See, for example, the Amendment and Response mailed by Applicants' attorney on November 8, 2005.) Assignee respectfully submits that this mistake is of a clerical nature and occurred in good faith during prosecution. Assignee further submits that correction of this mistake does not constitute the entry of new matter nor would it require reexamination of the patent. Accordingly, Assignee requests that the Commissioner issue a Certificate of Correction under 35 U.S.C § 255 to correct the typographical error in claim 13, col. 18, line 17 by including the words "of claim" between the word "system" and the number 1.

If there are any questions regarding this matter, the U.S. Patent Office is kindly requested to contact the undersigned at the telephone number identified below. The Commissioner is hereby authorized to charge any fee necessary to enter this paper to Attorney's Deposit Account No. 50-3081.

Respectfully submitted,



Deborah M. Vernon  
Attorney for the Applicant  
Proskauer Rose LLP  
One International Place  
Boston, MA 02110-2600

Date: July 6, 2007  
Reg. No. 55,699  
Tel No. (617) 526-9836  
Fax No. (617) 526-9899

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 7,049,540  
DATED : May 23, 2006  
INVENTOR(S) : Nicholas A. Sanders; Richard W. Couch, Jr.; Yong Yang; Zhipeng Lu;  
Robert C. Dean; and Charles M. Hackett

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 18

Claim 13, Line 17, insert --of claim-- between system and 1.

MAILING ADDRESS OF SENDER:

Proskauer Rose LLP  
One International Place,  
Boston, MA 02110  
Phone No.: (617) 526-9600  
Fax No.: (617) 526-9899

Patent Administrator PATENT NO.: 7,049,540